

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Markey Blake, ) C/A No. 4:13-1498  
vs. )  
Plaintiff, )  
vs. ) ORDER  
Detective Alex Edwards and Capt. Wineglass, )  
Defendants. )  
\_\_\_\_\_  
)

This case is before the court because of Petitioner's failure to comply with The Honorable Cameron M. Currie's Order of July 11, 2013. (ECF No. 17).

A review of the record indicates that Judge Currie ordered Plaintiff to apprise the court of the status of the underlying criminal proceedings every six (6) months, and notify the court when the criminal charges are resolved and the stay in this case can be lifted. Plaintiff was specifically informed that if he failed to do so, this case may be dismissed *with prejudice* or other sanctions as may be appropriate may be issued. The Court received only one status report from Plaintiff on November 26, 2013 (ECF No. 29), and it has been more than six months since this status report was filed.

Plaintiff's lack of response to the Order indicates an intent to not continue prosecuting this case and subjects this case to dismissal. *See Fed. R. Civ. P. 41(b)*(district courts may dismiss an action if a Petitioner fails to comply with "any order of the court."); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is **DISMISSED with prejudice**. The Clerk of Court shall close the file.

**IT IS SO ORDERED.**

s/ Bruce Howe Hendricks  
United States District Judge

July 8, 2014  
Greenville, South Carolina

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**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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